IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

THURSDAY, THE TWENTY FIRST DAY OF JULY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MRS JUSTICE T.MEENA KUMARI

and
THE HON'BLE MR JUSTICE P.LAKSHMANA REDDY

WRIT APPEAL NO : 1317 of 2005

(Writ Appeal under Clause 15 of the Letters Patent against the Order dated 27/06/2005 in W.P.M.P.NO:7843 OF 2005 IN WV MP.NO:1365 OF 2005 IN WP NO : 5929 OF 2005 on the file of the High Court.)

Between:

Nukalapati Nagaiah, S/o Late Sri Lakshmaiah,
R/o Pothireddi Pallam (V & Po), Kovvur Mandal, Nellore District.

..... APPELLANT

AND

1 Kovur Co-operative Sugar Factory Limited, rep. by its Managing Director, Sri P.Veerabhadra Rao, Nellore.
2 Commissioner & Director of Sugar & Cane Commissioner, Govt. of Andhra Pradesh, Hyderabad.

.....RESPONDENTS

Counsel for the Appellant:MR.A.HANUMANTHA REDDY

Counsel for the Respondent No.1: MR.S.V.MUNI REDDY

Counsel for the Respondent No.2: The GP for Industries and Commerce.

The Court at the admission stage made the following :

ORDER (Per the Honourable Smt.Justice T.Meenakumari)

This writ appeal is preferred against the order of the learned single Judge passed in W.P.M.P.NO:7843 OF 2005 and W.V.M.P.NO:1365 OF 2005 in W.P.No:5929 of 2005, dated 27th June, 2005, by which the interim order granted by this Court is vacated.

The appellant herein is the writ petitioner. She filed the writ petition seeking to set aside the proceedings of the 1st respondent, dated 28.2.2005 and to direct the respondents to continue the petitioner in service. While admitting the writ petition, an interim direction was issued on 28th April, 2005 to the respondents to continue the petitioner in service until further orders. On the petition in W.V.M.P.1365 of 2005 seeking to vacate the interim direction, the interim order dated 28th April, 2005 was vacated. Aggrieved by the same, the present writ appeal is preferred by the writ petitioner.

Heard.

We have perused the material available on record and the order impugned. This writ appeal is an outcome of an interim order vacating the interim direction to continue the petitioner. In case any finding is given on this aspect at this interlocutory stage, it may touch the very merits of the main suit. Therefore, We feel that it is desirable to direct the office to post the writ petition for final hearing instead of dealing with the issue involved at this interlocutory stage. Hence, We see no merits in this writ appeal and the same is liable to be dismissed.

Accordingly, this writ appeal is dismissed. Office is directed to post the writ petition for final hearing on 23rd August, 2005.

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(T.MEENAKUMARI, J)

21st JULY, 2005

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(P.LAKSHMANA REDDY,J)

gurc/rkk

To

1 Commissioner & Director of Sugar & Cane Commissioner, Govt. of Andhra

Pradesh, Hyderabad.

2. 2 CCs to the GP for Industries and Commerce, High Court of AP, Hyderabad (OUT)

3. Two CD copies

THE HON'BLE SMT. JUSTICE T.MEENA KUMARI

&

THE HON'BLE MR JUSTICE P.LAKSHMANA REDDY

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WRIT APPEAL NO : 1317 of 2005

(Order delivered by the Honourable Smt.Justice T.Meena Kumari)

21st JULY, 2005.